

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-120877
	:	TRIAL NO. B-0908134
Plaintiff-Appellee,	:	
vs.	:	
	:	<i>JUDGMENT ENTRY.</i>
SCOTT SEXTON,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Scott Sexton appeals the judgment of the trial court revoking his community control and imposing an 18-month prison term. In a single assignment of error, Sexton argues that the trial court abused its discretion in rendering a disproportionate sentence.

This court no longer reviews felony sentences imposed after the effective date of 2011 Am.Sub.H.B. No. 86 for an abuse of discretion, and instead, this court may only modify or vacate a sentence under R.C. 2953.08(G)(2) if the court “clearly and convincingly find[s]” that the trial court failed to adhere to all applicable rules and statutes in imposing the sentences. *See State v. White*, 1st Dist. Hamilton No. C-130114, 2013-Ohio-4225, ¶ 11.

Because we do not clearly and convincingly find that Sexton's sentence is contrary to law, we overrule Sexton's assignment of error. *See* R.C. 2953.08(G)(2). The judgment of the trial court is affirmed.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

CUNNINGHAM, P.J., DINKELACKER and FISCHER, JJ.

To the clerk:

Enter upon the journal of the court on December 6, 2013
per order of the court _____.
Presiding Judge